CLASSIFICATION OFFICE DECISION

Title of publication:	Csp017 (2).jpg
Other known title(s):	Not stated
OFLC ref:	1601002.006
Medium:	Computer Image File
Publisher:	Not stated
Country of origin:	Not stated
Language:	Not applicable
Applicant:	Secretary for Internal Affairs
Classification:	Unrestricted.
Descriptive note:	None
Display conditions:	None
Date of entry in Register:	17 February 2017
Date of direction to issue a label:	No direction to issue a label has been issued
Date of notice of decision:	17 February 2017

Summary of reasons for decision:

The publication is a computer image file which depicts a naked female lying on a bed, but without any sexual conduct or overt sexualisation. The subject has a slight build. Her face appears to be that of an adult woman. The elements in the photograph that might point towards a sexual reading are arguable and not strong enough for the publication to be considered a "matter of sex" under s3(1) of the Films, Videos, and Publications Classification Act 1993 (FVPC Act). Because the publication does not contain any material which brings it within any of the s3(1) "subject matter gateways", listed under s3(1) of the FVPC Act, or any material relevant to s3A or s3B of the FVPC Act, the Classification Office must, therefore, classify the publication as unrestricted. This classification is consistent with the protections afforded by the New Zealand Bill of Rights Act 1990.